

Freeth & Associates, LLC

260 Madison Ave.
8th Floor
New York, NY 10016
(917) 775-7082

Richard N. Freeth, Esq.*
rfreeth@freethfirm.com

March 20, 2023

Sent Via ECF

Honorable Judge Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007
Email: CaproniNYSDChambers@nysd.uscourts.gov

RE: *An et al. v. Despins, et al.*, Case No. 22-cv-10062-VEC (S.D.N.Y.)

Dear Judge Caproni:

I write regarding Defendants' Counsel's March 16, 2023 letter to Your Honor which trumpeted the unsealing of a criminal indictment against Ho Wan Kwok, a person with no interest in the above-cited litigation.

We object to Counsel's effort to super-impose unrelated and irrelevant matters onto this case – and accordingly we request that the Court give no consideration to either the form or substance of the subject letter. Opposing Counsel's ongoing effort to distract from the actual subject matter of the case by creating a side-show is unduly prejudicial to my clients' case, and a waste of the Court's time. And it is indeed wholly irrelevant information as it is no likely to either prove or disprove a material relevant fact in this case. If by some contortion of reality the Defendants could show that information regarding Mr. Kwok were relevant, this is a disingenuous and politically expedient indictment, similar to the one recently revealed by the same prosecutor against former President Trump which anyone

But since they brought it up, Your Honor should hear some truths about this sham criminal case brought against Mr. Kwok, which I should point out is not a conviction. First, who are these alleged victims referenced in the indictment? The CCP has, amongst its vast array of strategies (See Exhibit "A", attached), a practice of compelling people in the US to do or say certain things while holding that persons' family in custody back in China. A recent articles on the unsealed Kwok indictment states as follows:

Despite the non-violent nature of the allegations against Mr. [Kwok], SDNY Prosecutor Damian Williams...filed an insidious motion preventing Mr. [Kwok] from getting bail, arguing the so-called "flight risk," and asked for Mr. [Kwok] to be detained until trial.

Williams, a Biden appointee who previously worked at the law firm Paul Weiss before joining SDNY as a prosecutor, has strong incentives to be hostile against Mr. [Kwok]. Like other compromised lawyers/judges involved in [Kwok]'s cases, such as Despina and Ostrager, the CCP link starts with their law firms. As the first U.S. law firm to enter China in 1981, Paul Weiss has hundreds of lawyers in China with offices in Shanghai, Beijing, and Hong Kong, raking in billions representing CCP State Owned Enterprises.

In 2017, former Secretary of Homeland Security during Obama's administration, Jeh Johnson, then a partner at Paul Weiss, met with Mr. [Kwok] in a bid to represent Mr. [Kwok]'s political asylum application. Unbeknownst to Mr. [Kwok], Johnson secretly recorded the meeting only to later leak it to the CCP. Since 2017, Mr. [Kwok] has been sued in over 70 litigations by CCP proxies, mostly financed by three CCP billionaires. This deep infiltration of the U.S. Justice system is dubbed "Unrestricted Lawfare," and NFSC supporter has long called for Congress to investigate the weaponization of the justice system against Mr. [Kwok].¹

And to be fair, we are not sending letters to Your Honor on a weekly basis regarding the fact that the Defendants are facilitating the Chinese Communist Party's ongoing campaign to repatriate Mr. Kwok to China so that he can once again face indefinite imprisonment and torture, as he suffered after participating in the Tiananmen Square protests in 1989 -- where he witnessed CCP security forces kill his own brother. So, we are asking that Your Honor instruct Defendants' Counsel to please refrain from injecting additional irrelevant information into this case regarding Ho Wan Kwok's legal woes -- proud as the Defendants may be of their contribution.

Thank you very much.

Sincerely,



Richard N. Freeth

CC: Greg Donald Andres (greg.andres@davispolk.com)

Yongbing Zhang, Esq. (yzhang@ybzlaw.com)

¹ <https://www.thegatewaypundit.com/2023/03/revenge-miles-guo-arrested-after-visits-to-congress-by-nfsc-supporters-calling-for-investigation-into-doj-infiltration-by-ccp/>

Sincerely,

Richard Freeth, Esq.
Freeth & Associates, LLC